

REMARKS

Claims 1, 9 and 17 have been finally rejected under 35 U.S.C. §103 as unpatentable over Hattori (U.S. Patent No.: 6,048,289) in view of Fumio et al. (Japanese Publication No.: JP 09271151) as detailed at item 4 on pages 2 and 3 of the final patent Office Action. This rejection is identical to the rejection of June 23, 2004 with the Examiner's comments concerning the Applicant's Amendment filed on December 23, 2004 being addressed by the "Response to Comments" section 5 on pages 3 and 4 of the final patent Office Action.

In the first full paragraph of page 4, the Examiner indicates that Applicants' assertion that the reference to Fumio, used to modify the reference to Hattori, is limited to rotation in one direction only but that "Applicant has provided no reference to support this assertion, for example, by signing a particular passage in the text of Fumio which positively limits the rotation of Fumio's motor to one direction". The Examiner indicates that such evidence should be cited to support the assertion and the arguments of Counsel cannot take the place of evidence in the record.

Applicants' are attaching hereto another copy of an English translation of the relevant portion of JP-9-271151 which, in paragraph [0027] the first sentence indicates that "the direction of rotation thereof is limited to one direction".

It is to be noted that this submission was originally made on January 21, 2003 in response to the final patent Office Action of October 18, 2002 in parent application serial no.: 09/654,615, which the present application is a continuation.

As indicated in the Final Rejection, the reference to Hattori is hybrid vehicle which fails to disclose the permanent magnet relationship claimed in claim 1 with respect to the permanent magnet inserting holes and their respective relationships in the rotor. The secondary reference to Fumio has non-magnetic portions provided in the opposite direction to the rotor when that rotor is driven in a normal rotating direction so that the torque and the normal rotation direction is made larger than the torque in the reverse rotating direction. Fumio, as discussed above, and as disclosed by the translated

portions, requires specifically that the rotating direction be limited to one direction. For reverse movement of the vehicle, the rotational speed of the electric machine is reduced by the speed changed mechanism and the transmitted rotation direction is reversed. Thus, Fumio has no need or reason for increasing the torque in the reverse rotation direction.

Claim 1 specifically claims that the space 10, which results from a difference in the width between the inserting hole (a) and the permanent magnet (8) having a width (b) is disposed forward of the permanent magnet in a direction of rotation of the rotor shown in Figure 1 of the present invention. The space 10 is positioned in the direction of forward rotation in direct contrast to Figures 2 and 5 of Fumio, which is not to position forward of the direction of rotation shown by the arrow B in Figures 2 and 5. Because, as discussed above, there is only one rotation direction in Fumio, that direction must be labeled B which causes forward movement. As is also shown by Fumio, the space or the non-magnetic portion is behind the magnets in Fumio.

In conclusion, Applicants' submit that Fumio accomplishes reverse movement by a "speed change mechanism" and there is no need or reason to increase the torque in the reverse rotation direction, whereas the presently claimed invention requires a machine and an engine connected to a drive shaft in series without a switching gear for the forward and backward movement. It is submitted that Fumio has no such limitation and there is no reason it would be incorporated into the subject matter of Hattori and if it was the direction of rotation teaching is clearly not appropriate to be combined with Hattori to meet the claim limitations of the present invention.

The listing of claims enclosed with this Response includes an indication that claims 5, 7 and 13 are withdrawn, although it is submitted that if the independent claims are allowable, as discussed above, these claims should also be allowable.

Therefore, Applicants respectfully request once again the allowance of this application.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056203.49196C1).

Respectfully submitted,

August 26, 2005



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Enclosure: Copy of English Language Translation Of Relevant
Portion in JP-9-271151

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English Translation of Relevant Portion in JP-9-271151
[0026]

In this case, the structure is characterized in that the permanent magnet 36 is inserted so as to be slanted to the direction of rotation of the permanent magnet insertion hole 34. The permanent magnet insertion hole 34 is formed larger in the peripheral direction than the size of the permanent magnet 36, and the permanent magnet 36 is inserted into the permanent magnet insertion hole 34 so as to be slanted to the direction of rotation.

[0027]

In the dynamo-electric machine used for the electric vehicle, the direction of rotation thereof is limited to one direction. That is, if the dynamo-electric machine rotates in the direction of arrow B at a time when the electric vehicle moves forward, the dynamo-electric machine also rotates in the direction of arrow B at a time when the electric vehicle moves backward. When the electric vehicle moves backward, the transmission mechanism reverses the direction of the transmitted rotation as well as reduces the rotational speed of the dynamo-electric machine. Accordingly, it is sufficient that the torque generated by the dynamo-electric machine generates a sufficient great torque with respect to the direction of rotation B, and the torque rotating in the opposite direction (clockwise direction) to the direction of arrow B may be small. In view of the above, the structure for increasing the torque generated by the dynamo-electric machine in the case of the direction of arrow B, and reducing it in the

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case of the opposite direction has a point that the permanent magnet 36 is inserted to the permanent magnet insertion hole 34 so as to be slanted to the direction of rotation B.